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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/564,431
		Filing Date	January 10, 2006
		First Named Inventor	Rajagopal Bakthavatchalam
		Art Unit	N/A
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	11	Attorney Docket Number	60879(72021)

## ENCLOSURES (Check all that apply)

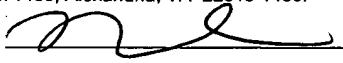
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	-Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	-Copy of Notification of Missing Requirements (2 pages)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	-Declaration for Patent Application (5 pages)
<input checked="" type="checkbox"/> Response to Notification of Missing Requirements	<input type="checkbox"/> Remarks	-Certificate of Express Mailing (1 page)
<input checked="" type="checkbox"/> Response to Notification of Missing Requirements Under 35 U.S.C. 371 (2 pages)		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	EDWARDS ANGELL PALMER & DODGE LLP		
Signature			
Printed name	Mark D. Russett		
Date	August 9, 2006	Reg. No.	41,281

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Label No. EV 755073602 US, on the date shown below in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: August 9, 2006

Signature:  (Mary M. Hutchinson)

## Certificate of Express Mailing Under 37 CFR 1.10

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Mary M. Hutchinson

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 439-4444

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

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Transmittal (1 page)  
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Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: August 9, 2006

Signature:

(Mary M. Hutchinson)

Docket No.: 60879(72021)  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Rajagopal Bakthavatchalam et al.

Application No.: 10/564,431

Confirmation No.: 1519

Filed: January 10, 2006

Art Unit: N/A

For: SUBSTITUTED HETEROCYCLIC  
DIARYLAMINE ANALOGUES

Examiner: Not Yet Assigned

### RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements mailed June 9, 2006 ("the Notification"), Applicant respectfully submits (i) a Declaration for Patent Application, and (ii) a copy of the Notification.

The Notification indicated that a Sequence Listing (in paper and computer-readable forms) in compliance with 37 CFR 1.821-1.825 is required. Applicants respectfully disagree. The present application does not disclose any nucleotide or amino acid sequences that would require the submission of a sequence listing. The only mentions of nucleotide or amino acid sequences found by the undersigned occur at pages 13 (lines 18-21) and 73 (lines 6-7), where certain sequences disclosed in an issued U.S. patent are mentioned, but this reference does not constitute a "disclosure" of such sequences for purposes of compliance with 37 CFR 1.821-1.825. Accordingly,

Applicants submit that the requirement for submission of a Sequence Listing is improper and should be withdrawn.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 60879(72021). A duplicate copy of this paper is enclosed.

Dated: August 9, 2006

Respectfully submitted,

By Mark D. Russett  
Mark D. Russett

Registration No.: 41,281  
EDWARDS ANGELL PALMER & DODGE  
LLP  
P.O. Box 55874  
Boston, Massachusetts 02205  
(617) 439-4444  
Attorneys/Agents For Applicants

**SEE  
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www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/564,431

FIRST NAMED APPLICANT

Rajagopal Bakthavatchalam

ATTY. DOCKET NO.

60879(72021)

INTERNATIONAL APPLICATION NO.

PCT/US04/22326

I.A. FILING DATE

07/09/2004

PRIORITY DATE

07/10/2003

21874

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BOSTON, MA 02205

RECEIVED

JUN 15 2006

EDWARDS ANGELL PALMER & DODGE LLP  
IP DOCKETING DEPT. (BOS)

CONFIRMATION NO. 1519

371 FORMALITIES LETTER



\*OC000000019195116\*

Date Mailed: 06/09/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/10/2006
- Copy of the International Search Report filed on 01/10/2006
- Preliminary Amendments filed on 01/10/2006
- Information Disclosure Statements filed on 01/10/2006
- U.S. Basic National Fees filed on 01/10/2006
- Priority Documents filed on 01/10/2006
- Specification filed on 01/10/2006
- Claims filed on 01/10/2006
- Abstracts filed on 01/10/2006
- Drawings filed on 01/10/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in

computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/564,431	PCT/US04/22326	60879(72021)